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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 16th March, 1984/Phalguna 26, 1905 (Saka)

The following Act of Parliament received the assent of the President on the 16th March, 1984, and is hereby published for general information:—

THE PREVENTION OF DAMAGE TO PUBLIC PROPERTY ACT, 1984

No. 3 OF 1984

[16*th March*, 1984.]

An Act to provide for prevention of damage to public property and for matters connected therewith.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Prevention of Damage to Public Property Act, 1984. Short title, extent and commencement.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall be deemed to have come into force on the 28th day of January, 1984.

2. In this Act, unless the context otherwise requires,— Definitions.

(*a*) "mischief" shall have the same meaning as in section 425 of the Indian Penal Code; 45 of 1860.

(*b*) "public property" means any property, whether immovable or movable (including any machinery) which is owned by, or in the possession of, or under the control of—

(*i*) the Central Government; or

(*ii*) any State Government; or

(*iii*) any local authority; or

(*iv*) any corporation established by, or under, a Central, Provincial or State Act; or

(*v*) any company as defined in section 617 of the Companies Act, 1956; or 1 of 1956.

(*vi*) any institution, concern or undertaking which the Central Government may, by notification in the Official Gazette, specify in this behalf:

Provided that the Central Government shall not specify any institution, concern or undertaking under this sub-clause unless such institution, concern or undertaking is financed wholly or substantially by funds provided directly or indirectly by the Central Government or by one or more State Governments, or partly by the Central Government and partly by one or more State Governments.

Mischief causing damage to public property.

3. (*1*) Whoever commits mischief by doing any act in respect of any public property, other than public property of the nature referred to in sub-section (*2*), shall be punished with imprisonment for a term which may extend to five years and with fine.

(*2*) Whoever commits mischief by doing any act in respect of any public property being—

(*a*) any building, installation or other property used in connection with the production, distribution or supply of water, light, power or energy;

(*b*) any oil installations;

(*c*) any sewage works;

(*d*) any mine or factory;

(*e*) any means of public transportation or of tele-communications, or any building, installation or other property used in connection therewith,

shall be punished with rigorous imprisonment for a term which shall not be less than six months, but which may extend to five years and with fine:

Provided that the court may, for reasons to be recorded in its judgment, award a sentence of imprisonment for a term of less than six months.

Mischief causing damage to public property by fire or explosive substance.

4. Whoever commits an offence under sub-section (*1*) or sub-section (*2*) of section 3 by fire or explosive substance shall be punished with rigorous imprisonment for a term which shall not be less than one year, but which may extend to ten years and with fine:

Provided that the court may, for special reasons to be recorded in its judgment, award a sentence of imprisonment for a term of less than one year.

Special provisions regarding bail.

5. No person accused or convicted of an offence punishable under section 3 or section 4 shall, if in custody, be released on bail or on his own bond unless the prosecution has been given an opportunity to oppose the application for such release.

Saving.

6. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force, and nothing contained in this Act shall exempt any person from any proceeding (whether by way of investigation or otherwise) which might, apart from this Act, be instituted or taken against him.

3 of 1984.

Repeal and saving.

7. (*1*) The Prevention of Damage to Public Property Ordinance, 1984, is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

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